

REMARKS

The present application was filed on June 6, 2005 with claims 1-25, all of which remain pending. Claims 1, 11, 15 and 25 are the independent claims.

Claims 3-5, 8, 9, 17-19 and 22 are objected to as allegedly containing informalities.

Claims 1, 3, 4, 7, 9, 15, 17, 18, 21, 23 and 25 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,377,544 (hereinafter "Muthukrishnan") in view of U.S. Patent No. 6,259,402 (hereinafter "Asai").

Claims 2 and 16 are rejected under 35 U.S.C. §103(a) as being unpatentable over Muthukrishnan in view of Asai and further in view of U.S. Patent Application Publication No. 2006/0215593 (hereinafter "Wang").

Claims 5, 6, 19 and 20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Muthukrishnan in view of Asai and further in view of U.S. Patent No. 7,197,025 (hereinafter "Chuah").

Claims 8 and 22 are rejected under 35 U.S.C. §103(a) as being unpatentable over Muthukrishnan in view of Asai and further in view of U.S. Patent Application Publication No. 2003/0189897 (hereinafter "Einstein").

Claims 10 and 24 are rejected under 35 U.S.C. §103(a) as being unpatentable over Muthukrishnan in view of Asai and further in view of U.S. Patent No. 7,254,615 (hereinafter "Taib").

Claims 11 and 14 are rejected under 35 U.S.C. §103(a) as being unpatentable over Muthukrishnan in view of Asai and U.S. Patent No. 7,313,635 (hereinafter "Zavalkovsky").

Claim 12 is rejected under 35 U.S.C. §103(a) as being unpatentable over Muthukrishnan in view of Asai and Zavalkovsky and further in view of Wang.

Claim 13 is rejected under 35 U.S.C. §103(a) as being unpatentable over Muthukrishnan in view of Asai and Zavalkovsky and further in view of Chuah.

In the present Office Action, Applicants have elected to cancel claims 1-10 and 15-25, as well as to amend claims 11-14. Applicants are not conceding in this application that those claims are not patentable over the art cited by the Examiner, as the present claim amendments and cancellations

are only for facilitating expeditious prosecution. Applicants respectfully reserve the right to pursue these and other claims in one or more continuations and/or divisional patent applications.

Applicants respectfully request reconsideration of the present application in view of the amendments above and the remarks below.

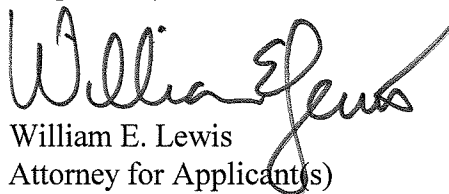
The present objections are moot in view of the present claim cancellations.

Claim 11 has been amended to recite additional limitations wherein the packet flow is stored in an overflow buffer of the source node in response to a height of at least a given queue of the source node exceeding a threshold (see the present specification at, for example, page 15, lines 4-10) and wherein an integer number of packets in each queue is maintained (see the present specification at, for example, page 20, lines 2-4).

It is believed that the prior art of record fails to teach or suggest the limitations of amended independent claim 11. Dependent claims 12-14 are patentable at least because of their dependency on claim 11. Furthermore, one or more of these claims defines separately patentable subject matter.

In view of the above, Applicants believe that amended claims 11-14 are in condition for allowance, and respectfully request withdrawal of the present objections and rejections.

Respectfully submitted,



William E. Lewis
Attorney for Applicant(s)
Reg. No. 39,274
Ryan, Mason & Lewis, LLP
90 Forest Avenue
Locust Valley, NY 11560
(516) 759-2946

Date: April 7, 2008